



City of Marietta

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

Meeting Minutes PLANNING COMMISSION

Bob Kinney - Chairman
Cheryl Richardson, Ward 1
Jason Allen Waters, Ward 2
Sam Storey, Ward 3
John Schupp, Ward 4
Vacant, Ward 5
Stephen Diffley, Ward 7

Tuesday, April 2, 2013

6:00 PM

City Hall Council Chambers

Present: Jason Allen Waters, Bob Kinney, Sam Storey, and Cheryl Richardson
Absent: Stephen Diffley and John J. Schupp

Staff:

Brian Binzer, Development Services Director
Rusty Roth, Development Services Manager
Patsy Bryan, Secretary to the Board
Shelby Little, Urban Planner
Daniel White, City Attorney

CALL TO ORDER & ROLL CALL:

Chairman Kinney called the Tuesday, April 2, 2013 Planning Commission meeting to order at 6:00 p.m.

MINUTES:

20130306 February 27, 2013 Regular Planning Commission Meeting Minutes

Review and Approval of the February 27, 2013 Regular Planning Commission Meeting Minutes

A motion was made by Sam Storey, seconded by Jason Allen Waters that this matter be Approved and Finalized. The motion carried by the following vote: 3 – 0 – 1.

Absent: 2 – Diffley and Schupp

Abstain: 1 - Richardson

REZONINGS:

20130233 Z2013-12 Todd Cohen (The Sutton Group) 380, 382, 384, 386, 376 and 378 Roselane Street and 823 and 835 Cogburn Avenue

Z2013-12 [REZONING] TODD COHEN (THE SUTTON GROUP) request rezoning for property located in Land Lot 10140, District 16, Parcels 0880, 0870, 0860, 0850, 070, 0780, 0900 and 0890, 2nd Section, Marietta, Cobb County, Georgia and being known as 380, 382, 384, 386, 376 and 378 Roselane Street and 823 and 835 Cogburn Avenue from R-2 (Single Family Residential 2 units/acre) to OI (Office Institutional). Ward 4.

File #20130233 (Z2013-12) was presented by Mr. Roth for property located in Land Lot 10140, District 16 and being known as 380 Roselane Street (Parcel 0880); 382 Roselane Street (Parcel 0870); 384 Roselane Street (Parcel 0860); 386 Roselane Street (Parcel 0850); 376 Roselane Street (Parcel 0900); 378 Roselane Street (Parcel 0890); 823 Cogburn Avenue (Parcel 0770) 835 Cogburn Avenue (Parcel 0780).

Todd Cohen, representing The Sutton Group, is requesting rezoning from R-2 (Single Family Residential 2 units/acre) to OI (Office Institutional) in Ward 4.

A public hearing was held.

Todd Cohen with SK Project Consulting stated that this item was held over from last month. Mr. Cohen made reference to his letter of response to the staff analysis for the rezoning dated March 27, 2013. Also discussed was the revised site plan. Since last month, two parcels were added as well as design changes.

Mr. Cohen stated that although some variances have been resolved from the previous meeting, there are 10 variances necessary for this project to go forward.

No one in support or in opposition to this request.

Mr. Waters and Mr. Storey expressed appreciation to Mr. Cohen on relocating the dumpster and meeting the parking requirements.

The public hearing was closed.

Mr. Waters moved to recommend to city council that this proposal be approved as submitted, with the variances outlined in Todd Cohen's letter dated March 27, 2013, seconded by Mr. Storey. Motion carried 4 – 0 – 0.

A motion was made by Jason Allen Waters, seconded by Sam Storey that this matter be Recommended for Approval as Stipulated. The motion carried by the following vote: 4 – 0 – 0.

Absent: 2 – Diffley and Schupp

20130234

Z2013-13 North River Church of Christ, Inc., 320 Austin Avenue

Z2013-13 [REZONING] NORTH RIVER CHURCH OF CHRIST, INC. request rezoning for property located in Land Lot 11640, District 16, Parcel 0020, 2nd Section, Marietta, Cobb County, Georgia and being known as 320 Austin Avenue from R-4 (Single Family Residential 4 units/acre) to OI (Office Institutional). Ward 4.

File #20130234 (Z2013-13) was presented by Mr. Roth for property located in Land Lot 11640, District 16, Parcel 0020, and being known as 320 Austin Avenue. Ward 5.

Richard Calhoun, representing North River Church of Christ, Inc., is requesting rezoning from R-4 (Single Family Residential 4 units/acre) to OI (Office Institutional) in Ward 5.

A public hearing was held

Mr. Richard Calhoun introduced Bob Keen from North River Church of Christ, Inc.

Mr. Calhoun described the 12 acres of property at 320 Austin Avenue as being located off of Cobb Parkway and occupied by the church since 2008.

The rezoning will allow the church to expand an awning that was damaged by a vehicle that ran into one of the supporting poles. Currently, no nonconforming or "grandfathered" use may be expanded without coming into compliance with current zoning regulations.

On the southwest corner of the property is a 30' required natural buffer plus an additional 35 foot rear yard setback; however, staff recommends reducing the buffer to 11 feet. According to code, a 6' fence or wall is required in the buffer area in addition to natural vegetation. Due to the robust natural buffer, Mr. Calhoun is asking for relief from building a fence or wall so as to not disturb the trees or natural buffer.

No one in support or in opposition.

Mr. Waters spoke to staff about the fence requirement/waiver being added to the motion. It is Section 710.05, Buffers.

The public hearing was closed.

Mr. Storey made a motion, seconded by Mrs. Richardson, to accept the rezoning application as stated with the following stipulations:

- 1. Variance to reduce the landscape buffer from 30 feet to 11 feet where the interior driveway encroaches upon the landscape buffer. [Section 708.23(l)].*
- 2. Variance to waive the requirement that a buffer must consist of a wall or fence. [Section 710.05(D) Buffers].*

The motion carried 4 – 0 – 0.

A motion was made by Sam Storey, seconded by Cheryl Richardson that this matter be Recommended for Approval as Stipulated. The motion carried by the following vote: 4 – 0 – 0.

Absent: 2 – Diffley and Schupp

ADJOURNMENT:

Mr. Waters made a motion to adjourn the Tuesday, April 2, 2013 Planning Commission Meeting at 6:19 p.m.

ROBERT W. KINNEY, CHAIRMAN

PATSY BRYAN, SECRETARY